

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Bryce Suchan, Michael Gabrio, Joseph  
D. Thornblad, Joseph J. Pederson,  
Peter Nelson, and Matthew Reece,

Civil No. 13cv03119 PJS/JJK

Plaintiffs,

**ORDER**

v.

Commissioner of Human Services  
Lucinda Jesson, Attorney General's  
Office, Chad Portner, and Carol Olson,

Defendants.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated November 19, 2013. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that:

1. Plaintiff Michael Gabrio's application for leave to proceed in forma pauperis, (Docket No. 2), is **DENIED**; and
2. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: 12/6/13

s/Patrick J. Schiltz  
PATRICK J. SCHILTZ  
United States District Judge